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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,863	01/05/2001	Marise Chan	60001.0005US01	3683

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/755,863

Applicant(s)

CHAN ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Application History

1. This action is responsive to the application filing, Application filed on 1/5/2001.
2. Claims 1-20 are pending in the case, claims 1, 8, 14 and 17 are independent claims.

Specification

3. The disclosure is objected to because of the following informalities:
 - The disclosure recites: "*the replace all button 1208*" (page 20, line 6) in reference to Figure 13. However, the disclosure recites: "*replace format button 1208*" (page 19, lines 21 and 22), and in Figure 13, reference sign 1208 is directed toward a "*Format*" button.

Appropriate correction is required.

4. The use of the following trademarks has been noted in this application:
 - "*Bernoulli*" on page 7, line 10.

It should be capitalized wherever it appears and be accompanied by the generic terminology:

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

5. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

6. Claim 15 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title."

8. Claim 17 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
9. **Regarding claim 17**, the claim is directed toward a *"find and replace dialog"*. A mere arrangement of printed matter, though seemingly a "manufacture," is rejected as not being within the statutory classes. See *In re Miller*, 418 F.2d 1392, 164 USPQ 46 (CCPA 1969); *Ex parte Gwinn*, 112 USPQ 439 (Bd. App. 1955); and *In re Jones*, 373 F.2d 1007, 153 USPQ 77 (CCPA 1967).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

11. Claims 1-4, 8 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brian Underdahl "Using Quattro Pro 6 for Windows" published by Que Corporation, Indianapolis, Indiana, 1994 (hereinafter Underdahl) in view of "WordPerfect V6.1 User's Guide" published by Novell Inc., Orem Utah, 1994 (hereinafter WordPerfect V6.1).

12. **Regarding independent claim 1**, Underdahl discloses a "Find/Replace" dialog for a spreadsheet program on page 174, Figure 5.32. Underdahl discloses determining and editing a plurality of cell characteristics in the spreadsheet, see the "Block(s)" data field and the "Formula", "Value" and "Condition" radio buttons in Figure 5.32. Underdahl fails to disclose determining and editing "formatting characteristics". WordPerfect V6.1 teaches the use of a "Find/Replace" dialog, which allows the determination and editing of formatting characteristics. WordPerfect V6.1 recites: *"The Codes option lets you find and replace any codes regardless of values*

the codes may contain. For example, if you search for a font size code, any font size code will be found. You can search for more than one code at a time or for a combination of words and codes" (page 160, third paragraph).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to enhance the "Find/Replace" dialog of Underdahl with the format capabilities as taught by WordPerfect V6.1 in order to allow a search of spreadsheet cells based upon text and formatting characteristics.

13. **Regarding dependent claims 2 and 3**, the claims are directed toward selecting a cell (claim 2), and selection by a user (claim 3). Underdahl recites: "Highlight the area you want to search" (page 174, last paragraph).
14. **Regarding dependent claim 4**, the claim is directed toward selection with a mouse. Underdahl discloses selecting a cell by a user as described above. Underdahl further discloses the use of a mouse. Underdahl recites: "*You can use the direction keys or the mouse to move the cell selector*" (page 15, third paragraph).
15. **Regarding independent claim 8**, the claim is directed toward performing a find operation of the Find/Replace dialog of claim 1, and is rejected with the same rationale. Claim 8 is further directed toward three searching scenarios: format only search if no text is entered; text and format search; or a text only search if no formatting is entered. As described in the rejection of claim 1, WordPerfect V6.1 discloses searching based upon format only and text and format dialog entries. Underdahl discloses searching for text only. Underdahl recites: "*Edit Find and*

Replace finds or replaces characters in a block of labels or formulas, much like the search and replace feature of most word processors" (page 174, first paragraph).

16. **Regarding independent claim 14**, the claim is directed toward performing a replace operation using the Find/Replace dialog of claim 1 and the find operation of claim 8, and is rejected with the same rationale.
17. **Regarding dependent claim 15**, the claim as not been considered based upon the merits of the claim because of improper form where a multiple dependent claim should refer to other claims in the alternative only (see paragraph 6 of this office action).
18. **Regarding dependent claim 16**, the claim is directed toward a computer readable medium for the method of claim 14, and is rejected using the same rationale.
19. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, and in further view of "Corel Draw" published by Corel Corporation, Ontario, Canada, 1992 (hereinafter Corel).
20. **Regarding dependent claim 5**, Underdahl and WordPerfect V6.1 disclose a spreadsheet find/replace dialog with selection of a cell by a user with a mouse is disclosed. Underdahl and WordPerfect V6.1 fail to disclose the cursor of the mouse shaped like an eyedropper. Corel teaches the shape of the cursor as an eyedropper. Corel discloses an eyedropper cursor on page 25, at the top of the page.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use an eyedropper shaped cursor, as taught by Corel, with the find/replace dialog with selection of a cell by a user with a mouse of Underdahl and WordPerfect V6.1 in order to provide a visual indicator to the user as to the function the cursor is currently enabled as.

21. **Regarding dependent claims 6 and 7**, the claims are rejected for fully incorporating the deficiencies of their base claims.
22. Claims 9-13 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, and in further view of Bowman et al. US Patent 6,000,225, filed on 9/1/1998 and patented on 12/21/1999) (hereinafter Bowman).
23. **Regarding dependent claim 9**, Underdahl and WordPerfect V6.1 disclose the spreadsheet cell find operation of claim 8 as described above. Underdahl and WordPerfect V6.1 fail to disclose a list as a result of the find operation. Bowman discloses a search operation of electronic documents with a results list, see figure 9.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to combine the spreadsheet cell find operation of Underdahl and WordPerfect V6.1 with the results list of Bowman in order to *"permit users to perform searches to identify a small number of relevant items among a much larger domain of items"* (Bowman, column 1, lines 20-22).

24. **Regarding dependent claims 10, 11, 12 and 13**, the claims are rejected for fully incorporating the deficiencies of their base claims.
25. **Regarding independent claim 17**, Underdahl discloses the use of a "Find" text entry field (compare "Find" to "Find What"). Underdahl and WordPerfect V6.1 disclose formatting controls as described in the rejection of claim 1 above. Underdahl and WordPerfect V6.1 disclose a find function, but fail to disclose a "find all" button. Bowman teaches the use of a button to launch a find all search. Bowman discloses in Figure 2 at reference sign 230 and 250, a button (labeled "Search Now") which finds all items matching the search criteria (see Bowman's Figure 9, reference sign 920, which discloses "Full Results").

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to combine the format enabled find and replace of Underdahl and WordPerfect V6.1 with the find all functionality of Bowman in order to *"permit users to perform searches to identify a small number of relevant items among a much larger domain of items"* (Bowman, column 1, lines 20-22).

26. **Regarding dependent claim 18**, the claim is directed toward the execution of the find and replace dialog of claim 17 and is rejected with the same rationale.
27. **Regarding dependent claim 19**, the claim is directed toward substantially the same subject matter as claim 9 and is rejected with the same rationale.
28. **Regarding dependent claim 20**, the claim is directed toward substantially the same subject matter as claim 8 and is rejected with the same rationale.

Conclusion

29. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent</u>	<u>Date</u>	<u>Inventor</u>
• US-6,212,512	04-2001	Barney et al.
• US-6,243,071	06-2001	Shwartz et al.
• US-6,330,007	12-2001	Isreal et al.
• US-6,442,576	08-2002	Edelman et al.
• US-6,525,721	02-2003	Thomas et al.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
April 15, 2004



STEPHEN S. HONG
PRIMARY EXAMINER